



CITY COUNCIL STAFF REPORT

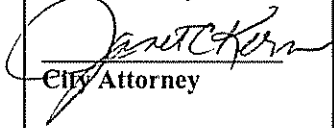
MEETING DATE: *April 18, 2007*

Agenda Item #

Prepared By:


Asst. to the City
Manager

Submitted By:


City Attorney

CONSIDERATION OF EXTENDING MEDICINAL MARIJUANA DISPENSARY MORATORIUM

RECOMMENDED ACTION:

Extend the Ordinance prohibiting the issuance of permits, entitlements, licenses or any other approvals for medicinal marijuana dispensaries in the City of Morgan Hill for 10 months and 15 days. (Requires a four-fifths vote)

EXECUTIVE SUMMARY:

The City Council enacted an urgency forty-five (45) day interim Ordinance prohibiting the issuance of permits for medicinal marijuana dispensaries to allow Staff to more carefully study the issue. The forty-five (45) day Ordinance passed unanimously on March 7, 2007 and without an extension is set to expire on April 21, 2007. If the moratorium was allowed to lapse, the City currently has no process in place to regulate medicinal marijuana dispensaries under the City's current zoning ordinance.

State and federal law conflict regarding legal uses of marijuana. The State of California permits the use and cultivation for medicinal purposes by individuals and cooperatives of qualified persons to provide marijuana to those who cannot grow it themselves. Federal law forbids any use, distribution, or possession of marijuana, including personal medical uses. Faced with conflicting laws, local agencies have responded in a variety of ways, including regulating medical marijuana dispensaries and banning the businesses altogether through zoning ordinances.

The majority of Bay Area municipalities have not adopted specific standards for dispensaries. Staff believes that this is due to discrepancies between state and federal law on the legality of medicinal marijuana, as well as the tendency for municipalities to ignore the issue if there is no immediate necessity to address it (i.e. use permit application submitted).

The Morgan Hill Police Department is concerned that permitting medicinal marijuana dispensaries to operate in the City of Morgan Hill may cause an immediate threat to public health, safety, or welfare as noted in the attached memorandum (Attachment A). The Community Development Department currently has concerns related to zoning issues and the specificity regarding medicinal marijuana dispensaries, which will need to be addressed and are highlighted in the attached memorandum (Attachment B).

Given the current legal uncertainties (Attachment C) and operational difficulties with the regulation of medicinal marijuana dispensaries that have not been resolved, Staff believes it is in the City's best interest to extend the moratorium as allowed by statute for another 10 months and 15 days. During that time, it is hoped that legal issues will be clarified and Staff will stay abreast of the operational status of medicinal marijuana dispensaries in California. Staff will update Council when any significant events occur.

Government Code § 65858(a) permits the City to enact an interim ordinance to protect the public safety, health and welfare, by prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the City is considering or studying or intends to study within a reasonable time. The interim ordinance shall require a four-fifths vote of the legislative body for adoption.

FISCAL/RESOURCE IMPACT:

The staff time required to prepare this report.

ORDINANCE NO. ____, NEW SERIES

INTERIM ORDINANCE PROHIBITING THE ISSUANCE OF PERMITS, ENTITLEMENTS, LICENSES, AND APPROVALS OF MEDICINAL MARIJUANA DISPENSARIES PENDING LEGAL OUTCOMES THAT SEEK TO CLARIFY THE LEGAL UNCERTAINTIES AND OPERATIONAL DIFFICULTIES WITH THE REGULATION OF MEDICINAL MARIJUANA DISPENSARIES

THE CITY COUNCIL OF THE CITY OF MORGAN HILL HEREBY FINDS AND DECLARES AS FOLLOWS:

WHEREAS, in 1996, the voters enacted Proposition 215, the Compassionate Use Act, which allows patients and their primary caregivers to possess and cultivate marijuana to treat serious illnesses pursuant to a doctor's permission;

WHEREAS, in 2003, the State Legislature enacted implementing legislation, SB 420, the Medical Marijuana Program Act, which created an identification card system for patients and caregivers to insulate them from arrest for possession and cultivation of marijuana for medical use;

WHEREAS, the federal Controlled Substances Act (CSA) prohibits the importation, use, cultivation, possession or distribution of marijuana for any reason and the U.S. Supreme Court held in *United States v. Oakland Cannabis Buyers Cooperative, et. al.* (2001) 532 U.S. 483, that there was no statutory or common law medical necessity exception to the prohibition against possession and use of marijuana under federal law even when the defendant is "seriously ill" and lacks alternative sources of relief;

WHEREAS, the U.S. Supreme Court held in *Gonzales v. Raich* (2005) 545 U.S. 1, that Congress has the power to prohibit the private cultivation and use of marijuana for medical purposes authorized by California law since personal use affects interstate commerce and the federal government continues to enforce the CSA against Californians who grow and use marijuana for medical purposes;

WHEREAS, the cities that have permitted and regulated dispensaries have reported problems directly or indirectly related to the businesses, including burglary attempts at the facilities, illegal drug dealers hanging around the area of the facility, driving under the influence of marijuana by members of the dispensaries, assaults, loitering around dispensaries, falsely obtained identification cards, marijuana being grown illegally on public lands, and other increases in criminal activity;

WHEREAS, medical marijuana dispensaries require increased demands for police response and have created health, safety, and welfare concerns;

WHEREAS, in June, 2005, a marijuana dispensary employee leaving work at the Collective Cannabis Club in Cherryland (one of six in unincorporated Alameda County) was leaving work when a masked gunman opened fire on his car. The Sheriff's Department indicated that this was one of six such incidents reported at dispensaries in the county in the first half of 2005;

WHEREAS, in August, 2005, three employees and three customers were tied up at a Hayward dispensary during an armed robbery;

WHEREAS, in October, 2005 there were two burglaries of medical marijuana dispensaries in unincorporated Alameda County near Hayward;

WHEREAS, in October, 2005 two juveniles were contacted after being observed near a dispensary wearing heavy coats and ski masks. A search revealed a replica 9mm pistol and marijuana;

WHEREAS, investigations of illegal drug distribution have led enforcement agencies to medical marijuana dispensaries from which marijuana is being diverted either by member resale to people with identification card, by armed robbery of facilities' stocks, or by active collusion of operators with dealers in the illegal market; and

WHEREAS, the City Council of the City of Morgan Hill seeks to protect the public health, safety and welfare of the citizens of Morgan Hill from the negative secondary affects associated with medical marijuana dispensaries and comply with federal laws.

WHEREAS, the City of Morgan Hill has received inquiries regarding the permitting and establishment of a medical marijuana dispensary with the City's limits.

WHEREAS, the City enacted a limited duration forty-five (45) day ordinance to study and consider appropriate amendments or additions to the City's Code that would govern the approval and issuance of permits and other approvals for medical marijuana dispensaries and that would be consistent with both state and federal law.

WHEREAS, City Staff has determined in their course of study that there are currently too many legal uncertainties between State and Federal law as well as operational difficulties with the regulation of medicinal marijuana dispensaries which are yet to be resolved, and a written report was issued 10 days prior to the expiration of the 45 day ordinance describing these determinations.

WHEREAS, California Government Code Section 65858 authorizes the City Council, by a four-fifths vote, to adopt an interim ordinance to prohibit uses the City is studying or intends to study within a reasonable time.

WHEREAS, In order to promote and protect the public health, safety, and welfare of the City's residents, and to allow the City Council an opportunity to study the impacts of such business activities on the health, safety, and welfare of the community and residents of the City and to consider possible additions and amendments to the City's code, it is necessary that this interim Ordinance be enacted.

WHEREAS, This Ordinance is intended to be of limited duration of ten months and fifteen days (15) days, nothing in this Ordinance is intended to effect or be construed to effect an unconstitutional taking of a property interest of any permitted use during its duration.

WHEREAS, In accordance with California Government Code Section 65858(a) and 65090, notice was published and a public hearing was held concerning the adoption of this Ordinance.

THE CITY COUNCIL OF THE CITY OF MORGAN HILL DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: APPLICABILITY

The regulations set forth in this Ordinance shall apply to the issuance of permits, business licenses or other applicable entitlements providing for the establishment and/or operation of medical marijuana dispensaries. For the purposes of this Ordinance, a "Medical Marijuana Dispensary" shall mean a facility or location providing for the sale, offering for sale or display or providing for the education, referral, network services, facilitation or assistance in the lawful possession, acquisition, and distribution of medical cannabis to "Qualified Patients" and/or "Primary Caregivers," as those terms are defined in Health and Safety Code Section 11362.5 et. seq.

SECTION 2: REGULATION

No applications for permits, business licenses or other applicable entitlements for the establishment of a medical marijuana dispensary as that term is defined herein, shall be considered or approved and no such permits, business licenses or other applicable entitlements shall be issued unless the application was deemed complete and approved prior to the adoption of this Ordinance. Notwithstanding any other provision of the Morgan Hill City Code or any other ordinance or regulation of the City to the contrary, no permit or other entitlement for use or environmental document which either directly or indirectly has as its result the approval or allowance of a medical marijuana dispensary, shall be approved, or granted while this Ordinance remains in effect.

SECTION 3: ENFORCEMENT

- (a) It shall be the duty of the Chief of Police, and all officers and employees of the City of Morgan Hill to enforce all provision of this Ordinance.
- (b) Any person, firm or corporation, whether as principal or agent, employee or otherwise, violating or causing or permitting the violation of any of the provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than one thousand dollars (\$1,000) or by imprisonment in the Santa Clara County Jail for a term not exceeding one hundred eighty (180) days or by both such fine and imprisonment. Such person, firm or corporation shall be deemed to be guilty of a separate offense for each day during any portion of which a violation of this Ordinance is committed, continued or permitted by such person, firm or corporation, and shall be punishable as herein provided.

SECTION 4: EFFECTIVE DATE

This Ordinance is an ordinance for the immediate preservation of the public peace, health, and safety, and shall take effect immediately in accordance with California Government Code Section 36937, upon the approval of four-fifths of the City Council and shall terminate in ten (10) months and fifteen (15) days, on _____, unless extended by the City Council in accordance with California Government Code Section 65858.

SECTION 5: NO TAKING OF PROPERTY RIGHT INTENDED

Nothing in this Ordinance shall be interpreted to effect an unconstitutional taking of the property right of any person. If the City Council determined, based on specific evidence in the administrative record, that the application of one or more provisions of this Ordinance to a proposed project would effect an unconstitutional taking of a property right, the City Council shall disregard such provision or provisions to the extent necessary to avoid such unconstitutional taking.

SECTION 6: SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, clause or phrase hereof irrespective of the fact that any one or more section, subsections, clauses or phrases be held unconstitutional, invalid or unenforceable.

This Ordinance was passed and adopted on the _____ day of April 2007, by the following vote:

AYES:	COUNCIL MEMBERS:	None
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None

ATTEST:

APPROVED:

Irma Torrez, City Clerk

Steve Tate, Mayor

∞ CERTIFICATE OF THE CITY CLERK ∞

I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Ordinance No. _____, New Series, adopted by the City Council of the City of Morgan Hill, California at a regular meeting held on the _____ day of April 2007.

WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.

DATE: _____

IRMA TORREZ, City Clerk



CITY OF MORGAN HILL POLICE DEPARTMENT

To: Assistant to the City Manager Brian Stott
From: Commander David Swing
Date: March 26, 2007
Re: Medicinal Marijuana Dispensaries
CC: Chief Bruce C. Cumming

I have prepared the following memo in response to your request for the police department's perspective on medicinal marijuana dispensaries. After consulting with other police agencies and conducting some preliminary research, it is the police department's recommendation to continue the existing moratorium prohibiting medical marijuana facilities. The department reached this conclusion due to the conflict between Federal and State law and a forecasted increased number of calls for service from a department that is already low on staff.

The conflict between federal and state law is apparent in as much as federal law continues to prohibit the possession of marijuana for any reason and state law allows its use for medicinal purposes. The Supreme Court further confirmed this fact when it recently overturned a Ninth Circuit Court ruling stating the government could regulate marijuana possession at the federal level even if individual states permitted it. Therefore, permitting a marijuana dispensary would place the city in conflict with federal law. The court will undoubtedly hear more cases on the matter before it is settled; which is why the police department recommends the short-term solution of extending the moratorium to allow these cases to proceed through the court system before a long-term solution is enacted.

Another reason the department supports extending the moratorium ties into overall police staffing. The police department presently responds to the highest number of calls for service per officer of any other agency in the county. The addition of a medical marijuana dispensary will increase the number of calls for service for an already overburdened department. There are documented cases in other counties where crimes have occurred either on-site or in the surrounding neighborhoods of the dispensaries. In addition to drug related crimes, the department will be called upon to respond to complaints of suspicious persons and alarm calls from the business. An unknown side-effect of legalized marijuana is the under-ground market created by the legal purchase of the drug. An example of this occurred in Los Banos, on two separate incidents, where their School Resource Officer arrested high school students selling marijuana on campus. The marijuana was labeled from two dispensaries in Alameda County. The police department believes that a dispensary in our community will increase calls for service in the proximity of the facility and also in the community at large. If the city chooses to pursue the matter further, we must first address the issues surrounding the department's level of staffing in order to adequately address the potential outcomes of such a business.

Therefore, the police department recommends extending the moratorium on medical marijuana dispensaries until the court has more time to resolve the conflict between federal and state law and the city can address the issues related to police staffing.



MEMORANDUM

To: Brian Stott, Assistant to the City Manager

Date: March 27, 2007

From: Terry Linder, Senior Planner

Subject: Medical Marijuana Dispensaries

The Morgan Hill zoning code currently does not define "Medical Marijuana Dispensaries" as a specific land use. The lack of specification allows for interpretation of the zoning ordinance to allow for a dispensary use in zoning districts which currently permit similar uses such as Medical Offices or Medical Facilities.

Due to the potential problems and land use conflicts which can occur with a Medical Marijuana Dispensary, the Council may wish to consider amendment to the City's zoning ordinance to specifically address "Medical Marijuana Dispensary" as a land use in Morgan Hill. Options include a zoning text amendment that could list a "Marijuana Dispensary" use as a prohibited in all zoning districts or conversely as a permitted use in various zoning districts. Within the two extremes, the City Council may wish to consider conditionally allowing Medical Marijuana Dispensaries based on meeting specific locational and operational criteria. Such criteria could include such things as minimum separation from schools, parks and residential areas and/or operation by a licensed pharmacist.

Should the City Council wish to consider options beyond prohibition for the regulation of Medical Marijuana Dispensaries, further analysis of the options would be required in order to put forth a zoning text amendment that will provide adequate protection of the public health, safety and welfare.

STROMBOTNE LAW FIRM
LEGAL RESEARCH MEMO

MEDICAL MARIJUANA IN CALIFORNIA

April 3, 2007

Following is a summary of relevant legal issues of interest to the City of Morgan Hill regarding medical marijuana dispensaries in California.

1. Introduction

State law currently allows the possession cultivation, and non-profit personal use of medical marijuana with a physician's recommendation. Federal law (the Controlled Substance Act) prohibits the intentional manufacture, distribution, dispensing or possession of marijuana. Prop 215 also provides legal protection for physicians who recommend the use of marijuana as a medical treatment.

Since enactment of the California Compassionate Use Act, state and federal courts have issued conflicting and contradictory opinions on whether or not a state statute can exempt a medical marijuana user from federal prosecution. This issue remains unresolved by the courts.

2. Federal Controlled Substance Act (CSA) 1970

Federal law prohibits the importation, use, cultivation, possession or distribution of marijuana for any reason. Under the Controlled Substances Act (21 U.S.C.A. 801 et seq.), enacted by Congress in 1970, marijuana is classified as a Schedule I controlled substance. The classification is based on a determination that marijuana: (1) has a high potential for abuse, (2) has no accepted medical use, and (3) is not accepted as safe, even when used under medical supervision. Congress has not changed its designation of marijuana as a Schedule I drug despite the passage of medical marijuana laws in twelve states and the District of Columbia.

3. California Compassionate Use Act 1996

In 1996 the voters enacted Proposition 215, the Compassionate Use Act, which allows patients and their primary caregivers to possess and cultivate marijuana to treat serious illnesses pursuant to a doctor's recommendation.

On October 12, 2003, Governor Davis signed SB 420 to address several shortcomings of Proposition 215. SB 420 broadened the Proposition 215 definition of primary caregiver to include caregivers that serve more than one patient and specifically allowed for the creation of medical marijuana collectives and cooperatives. It provides that marijuana may not be cultivated or distributed for profit, but a primary caregiver may get compensation for his or her actual expenses.

SB 420 also established possession limits for patients and their caregivers equal to eight ounces of dried marijuana and no more than six mature or twelve immature marijuana plants per person. Section 11362.77, however, specifically allows attending physicians to prescribe higher amounts and lets counties and cities retain or establish more liberal local guidelines that exceed these state limits.

The purpose of the law is “to ensure that seriously ill Californians have the right to obtain and use marijuana for medical purposes where that medical use is deemed appropriate and has been recommended by a physician who has determined that the person's health would benefit from the use of marijuana in the treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or any other illness for which marijuana provides relief” and to ensure that such users and their caregivers are not subject to criminal prosecution.

The law provides for a voluntary identification card system administered by the CA Dept. of Health Services and issued by the county health department.

4. California State Court Decisions

In the case of *People v. Mower*, (2002) 28 Cal.4th 457, the legitimacy of Prop 215 was challenged and the California Supreme Court ultimately decided in favor of Proposition 215. The Court ruled that not only was the possession of marijuana for medical purposes a defense to the charge that one was in possession of an illegal drug, but it could also be used pre-trial in the motion to dismiss the underlying prosecution. The Court stated, in part, that the Act “...operates to render non-criminal certain conduct which would otherwise be criminal.”

In *People v. Urziceanu* (2005) 132 Cal.App.4th 747, 783 the court stated that “the Legislature also exempted those qualifying patients and primary caregivers who collectively or cooperatively cultivate marijuana for medical purposes from criminal sanctions for possession for sale, transportation or furnishing marijuana, maintaining a location for unlawfully selling, giving away, or using controlled substances, managing a location for the storage, distribution of any controlled substance for sale, and the laws declaring the use of property for these purposes a nuisance.”

5. Federal Court Decisions

The Federal Drug Enforcement Administration (DEA) aggressively attempted to close the dispensaries when they began operating in Oakland, San Francisco, and Santa Cruz. The enforcement of the CSA resulted in a number of significant court decisions.

In *United States v. Oakland Cannabis Buyers Cooperative, et. al.* (2001) 532 U.S. 483, the U.S. Supreme Court held that there was no statutory or common law medical necessity exception to the prohibition against possession and use of marijuana under federal law even when the defendant is “seriously ill” and lacks alternative sources of relief.

In *Gonzales v. Raich* (2005) 545 U.S. 1, the U.S. Supreme Court held that Congress has the power to prohibit the private cultivation and use of marijuana for medical purposes authorized by

California law since personal use affects interstate commerce. Although the opinion focused narrowly on the scope of Congressional power under the Commerce Clause, the practical significance of the decision is that the federal government may continue to enforce the CSA against Californians who grow and use marijuana for medical purposes. The case did not expressly rule on whether California law permitting medical marijuana use was preempted by the CSA. The Supreme Court determined that marijuana possessed, cultivated and/or sold within the purported scope of California's Compassionate Use Act remains a felony under federal law.

After the U.S. Supreme Court's ruling in 2005 (discussed above), the District Court's ruling on remand was very recently decided by the 9th Circuit Court of Appeals in *McClaryraich v. Gonzalez* WL 754759 (9th Cir. (Cal.), 2007). The plaintiffs sought declaratory and injunctive relief based on the alleged unconstitutionality of the Controlled Substances Act, and a declaration that medical necessity precludes enforcement of the Controlled Substances Act against them. The district court denied appellants' motion for a preliminary injunction and the 9th Circuit affirmed. Although the plaintiff appeared to satisfy the factual predicate for necessity defense, in that if she were to obey Controlled Substances Act (CSA) rather than using marijuana pursuant to California Compassionate Use Act she would have to endure intolerable pain and perhaps would die, the Court of Appeals could not issue a preliminary injunction preventing enforcement of the CSA on such basis, since oversight and enforcement of the necessity-defense-based injunction would prove impracticable, in the ongoing vitality of the injunction could hinge on factors including the user's medical condition or advances in lawful medical technology

6. Pending Federal and California Cases

The following cases are currently being litigated in California courts. The outcome of these cases will likely clarify the dispute between California and the Federal Government regarding the legal authority to authorize medical marijuana.

a. *County of Santa Cruz v. John Ashcroft* U.S. District Court for the Northern District

The City of Santa Cruz permits the sale of medical marijuana. After Federal DEA agents conducted a raid on a Santa Cruz cooperative and seized marijuana plants, the City and others, filed suit in April 2003, for an injunction to prevent the federal government from arresting or prosecuting medical marijuana users for the intrastate cultivation, possession, delivery or use of cannabis for personal medical purposes on the advice of a physician in accordance with state law. In an April 2004 order, the District Court, Judge Fogel, held that plaintiffs showed a likelihood of success on the merits of their claim that Controlled Substances Act (CSA), as applied to them, exceeded Congress's Commerce Clause authority, as required to obtain a preliminary injunction precluding enforcement of the CSA against them. See *County of Santa Cruz, Cal. v. Ashcroft* 314 F.Supp.2d 1000, (N.D.Cal.,2004). This ruling pre-dated the U.S. Supreme Court's contrary ruling in *Gonzales v. Raich*. The case is still pending.

b. *County of San Diego v. San Diego Norml*
San Diego County Superior Court

In February 2006, the County of San Diego, County of San Bernardino, and later the County of Merced filed suit in San Diego County Superior Court against the State of California and others, challenging California's medical marijuana laws as being preempted by the Federal CSA. Other defendants and intervenors in the action include San Diego NORML (National Organization for the Reform of Marijuana Laws), Wo/Men's Alliance for Medical Marijuana, and Americans for Safe Access. Legal counsel for the defendants is the ACLU Drug Law Reform Project in Santa Cruz. The defendants argued that the CSA expressly provides that the federal enactment must not be construed as preempting state law, except where there is a positive conflict and the two cannot consistently stand together. [21 U.S.C. §903]. They argue that California's laws do not conflict with Federal Law. The case is still pending in the trial court.

c. Other State Court Lawsuits

An organization called Americans For Safe Access has filed separate lawsuits against the following cities for enacting bans on medical marijuana dispensaries: City of Fresno, City of Concord, City of Pasadena and City of Susanville.

Plaintiffs allege in the Fresno lawsuit, that Fresno is in violation of SB 420, which the California legislature passed into law in 2003 in order to clarify the Compassionate Use Act (CUA), noting that uncertainties in the act have prevented qualified patients and primary caregivers from obtaining the protections afforded by the act. According to the ASA lawsuit, cities and counties are compelled by SB 420 to implement ways in which qualified patients and designated primary caregivers can obtain the full protections afforded by the act

The plaintiffs state their position as follows:

"The permanent ban on dispensing, enacted by Fresno and a handful of other cities in California, is an unlawful barrier to medical marijuana," said ASA Legal Campaign Director Kris Hermes. "Without the means of growing it themselves or finding a caregiver to do it for them, dispensing collectives may be a patient's only legal option for obtaining medical marijuana."

7. Analysis Of The Current State Of The Law On Medical Marijuana

The possession, cultivation and sale of marijuana is forbidden by Federal and California law, with the sole exception of medical marijuana usage authorized by California statute. It remains an unresolved legal issue whether California has the legal authority to create a statutory exemption from Federal prosecution for medical marijuana.

Although past decisions of the California State Appellate Courts, and the 9th Circuit Federal Court had previously ruled in favor of such an exemption, the 2005 ruling by the U.S. Supreme Court in *Gonzales v. Raich*, reversed the 9th Circuit, which the 9th Circuit dutifully followed in its 2007 ruling in the same case.

Until this issue is resolved with finality in the courts anyone who possesses, cultivates or sells marijuana in California, even though in full compliance with California's Compassionate Use Act, runs the risk that they could be arrested by federal agents and prosecuted by the federal government.

National Library Week 2007 Proclamation

This document is also available in Spanish on The Campaign for America's Libraries Website at www.ala.org/@yourlibrary. Click on NLW 2007 icon.

WHEREAS, our nation's public, academic, school and specialized libraries transform their communities;

WHEREAS, libraries play a vital role in supporting the quality of life in their communities;

WHEREAS, librarians are trained professionals, helping people of all ages and backgrounds find and interpret the information they need to live, learn and work in the 21st century;

WHEREAS, libraries are part of the American Dream – places for opportunity, education, self-help and lifelong learning;

WHEREAS, libraries bring you a world of knowledge both in person and online;

WHEREAS, libraries are a key player in the national discourse on intellectual freedom, equity of access, and narrowing the “digital divide;”

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week with The Campaign for America's Libraries.

NOW, THEREFORE, be it resolved that I (*name, title of official*) proclaim National Library Week, April 15-21, 2007. I encourage all residents to visit the library this week to take advantage of the wonderful library resources available and thank their librarians and library workers for making information accessible to all who walk through the library's doors. Come see why now is the perfect time to come together @ your library.